

GREGORY G. ISKANDER, Bar No. 200215
giskander@littler.com

NATALIE M. KUZMA, Bar No. 286401
nkuzma@littler.com

LITTLER MENDELSON, P.C.
Treat Towers
1255 Treat Boulevard, Suite 600
Walnut Creek, CA 94597
Telephone: 925.932.2468
Fax No.: 925.946.9809

Attorneys for Defendants
RAC ACCEPTANCE WEST, LLC and
ACCEPTANCE NOW, LLC

MIRIAM L. SCHIMMEL, ESQ. SBN 185089

miriam@gaineslawfirm.com
DANIEL F. GAINES, ESQ. SBN 251488

daniel@gaineslawfirm.com
EVAN S. GAINES, ESQ. SBN 287668

evan@gaineslawfirm.com
GAINES & GAINES, APLC
27200 Agoura Rd., Suite 10
Calabasas, CA 91301
Telephone: (818) 703-8985
Facsimile: (808) 703-8984

Attorneys for Plaintiff
ESEN HOUSTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ESEN HOUSTON,
Plaintiff,

v.

RAC ACCEPTANCE WEST, LLC, a
Delaware limited liability company;
ACCEPTANCE NOW, LLC, a California
limited liability company, and DOES 1
through 10, inclusive,

Defendants.

Case No.: 2:20-cv-01880-MCE-CKO

**STIPULATION TO STAY RULE 26(F)
CONFERENCE PENDING THE COURT'S
RULING ON DEFENDANTS' MOTION TO
DISMISS, OR STAY THE CASE AND
COMPEL ARBITRATION**

Complaint filed: August 14, 2020
(Solano County Superior Court Case No.:
FCS055207)

Plaintiff ESEN HOUSTON ("Plaintiff") and Defendants RAC ACCEPTANCE WEST, LLC and ACCEPTANCE NOW, LLC (jointly referred to as "Defendants"), by and through their respective counsel, do hereby stipulate and agree to stay the Rule 26(f) Conference until the Court has ruled on Defendants' Motion to Dismiss, or Stay the Case and Compel Arbitration ("Defendants' Motion").

Defendants filed their Motion to Dismiss, or Stay the Case and Compel Arbitration on October 22, 2020, noticing the Motion for hearing on December 17, 2020. **(ECF No. 5)**

On October 26, 2020, the Court issued a Minute Order pursuant to Local Rule 230(g) vacating the oral argument and deeming the motion submitted pursuant to the briefing papers filed and to be filed in support of and in opposition thereto. **(ECF No. 6).**

Defendants' Motion presents an issue of law that is potentially dispositive of Plaintiff's entire case as against Defendants in this Court. Therefore, the parties have agreed to stay the Rule 26(f) Conference until the Motion has been ruled upon by this Court. A temporary stay of the Rule 26 (f) Conference will further the goals of judicial economy, control of the Court's docket, and an inexpensive determination of the case. *Little v. City of Seattle*, 863 F.2d 681 (9th Cir. 1988).

Accordingly, for the reasons articulated above, the parties stipulate and request that the Court stay the Rule 26(f) Conference until an Order has been issued on Defendants' Motion to Dismiss **(ECF No. 5)**. If Defendants' motion is denied, the parties will conduct a Rule 26(f) conference within thirty (30) days of the Court's Order, and submit a Discovery Plan and Scheduling Order and exchange initial disclosures within twenty one (21) days thereafter.

Dated: November 30, 2020

/s/ Gregory G. Iskander
 GREGORY G. ISKANDER
 NATALIE M. KUZMA
 LITTLER MENDELSON, P.C.
 Attorneys for Defendants
 RAC ACCEPTANCE WEST, LLC and
 ACCEPTANCE NOW, LLC

Dated: November 30, 2020

/s/ Miriam L. Schimmel
 MIRIAM L. SCHIMMEL
 DANIEL F. GAINES
 EVAN S. GAINES
 GAINES & GAINES, APLC
 Attorneys for Plaintiff, ESEN HOUSTON

ORDER

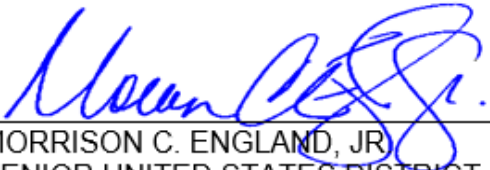
Upon consideration of the parties Stipulation to Stay Rule 26(f) Conference Pending the Court's Ruling on Defendants' Motion to Dismiss, or Stay the Case and Compel Arbitration (**ECF No. 5**), it is hereby:

ORDERED that the Rule 26(f) Conference is hereby stayed until the Court has rendered a ruling on Defendants' aforementioned Motion.

It is further ORDERED that if the Motion is denied, the Parties should engage in a Rule 26(f) Conference within thirty days (30) of the Court's ruling, and exchange initial disclosures within twenty one (21) days of the Rule 26(f) conference.

IT IS SO ORDERED.

Dated: December 4, 2020


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE